

Practitioner's Docket: DEE6270P0160US

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

Applicant: David L. Sprinkle )  
Serial No.: 10/041,833 ) Group Art Unit: 3618  
Filed: October 19, 2001 ) Examiner: Bryan R Fischmann  
For: Tower and Boom Structure )  
For Loader Bucket )

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7-10-03  
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DECLARATION OF DAVID L. SPRINKLE  
UNDER 37 C.F.R. §1.131

1. The undersigned is the inventor of the above-identified application.
2. The present invention was reduced to practice at least by the date February 26, 2000, which is the date marked on photographic exhibits A and B that display the invention.
3. Photographic exhibits A and B illustrate a prototype backhoe loader having on its right side (from the driver's perspective) one side of the tower and boom arm pairs described in the specification and claimed in pending claims 8 and 9.
4. The left side tower and boom arm on the prototype backhoe loader of exhibits A and B were of conventional shape as only one side was needed for prototype testing, the respective other side of the eventual commercial product to be a mirror image thereof.
5. As of at least February 26, 2000, the inventive arrangement of the tower and boom arm shown on the right side of Exhibits A and B was demonstrated to operate in a satisfactory manner.

6. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 21<sup>st</sup> day of June, 2003.

By:   
David L. Sprinkle